

March 18, 2009
NOTICE OF REGULAR MEETING AND PUBLIC HEARING MEETING OF THE
BENTON COUNTY PLANNING BOARD

WHEN: March 18, 2009
TIME: 5:30 p.m. The Benton County Planning Board will meet to receive public comment on any of the proposed projects on the agenda.
PLACE: Benton County Administration Building, 215 East Central Avenue
Quorum Courtroom, 3rd Floor (Suite 324), Bentonville, AR 72712

MINUTES FOR REGULAR PUBLIC HEARING

1. Call to Order

2. Roll Call

The following Benton County Planning Board members were present: Scott Borman, Jim Cole, Mark Curtis, Lane Gurel, Caleb Henry, Bill Kneebone and Heath Ward.

The following Benton County Planning Office staff members were present: Ronette Bachert, Karen Stewart and Teresa Sidwell. Benton County Justice of the Peace Frank Winscott was also present. Assistant Benton County Director of Public Services Chris Glass was not present.

3. Disposition of the Minutes of February 18, 2009 public hearing meeting as distributed.

Mr. Kneebone made a motion to accept the meeting minutes as distributed; Mr. Curtis seconded the motion.

Mr. Borman, Mr. Cole, Mr. Curtis, Mr. Gurel, Mr. Henry, Mr. Kneebone and Mr. Ward all voted in favor of the motion; the motion was passed.

4. Reports of Planning Board members

5. Public Comment

Mr. Ward called for public comment and asked for clarification on which items were and were not on the agenda. Mrs. Stewart stated that Triple A Auto (6199 Lucas Lane, Pea Ridge) was removed from the agenda and ensured that the Board knew that Honey Creek Wind Project was on the agenda.

There was no public comment; public comment was closed.

6. **Old Business:**

- A. Wireless Communication Variance – **Honey Creek Wind Project** – 14661 Wet Prairie Road, Gravette

The project was represented by Aaron Weigel of Tradewinds Energy, LLC.

- Provide proof of notification of adjacent property owners (within 300 feet of tower) to Staff

Mrs. Stewart stated that Mr. Weigel had met all stipulations.

Mr. Kneebone made a motion to approve the project, the motion was seconded by Mr. Henry.

Mr. Borman, Mr. Cole, Mr. Curtis, Mr. Gurel, Mr. Henry, Mr. Kneebone and Mr. Ward all voted in favor of the project; the motion was passed.

7. **New Business:**

- B. Lot Split – **Esculapia Estates, Lot 6** – Bumblebee Lane, Rogers

- The applicant must provide a copy of the subdivision covenants to Staff prior to the public hearing meeting

Mark Taylor of Fayetteville represented the project.

Mrs. Stewart stated that all stipulations had been met and that Staff recommended approval.

Mr. Curtis asked for clarification from the applicant in regards to the covenant stipulation. Mr. Gurel stated that the entire covenants should be submitted in the future.

Mr. Borman made a motion to approve the lot split, Mr. Henry seconded the motion.

Mr. Borman, Mr. Cole, Mr. Curtis, Mr. Gurel, Mr. Henry, Mr. Kneebone and Mr. Ward all voted in favor of the lot split; the motion was passed.

- C. Lot Split – **Runnymede Subdivision, Outlot to Lots 6 & 7** – Village Road, Rogers

- The plat must be changed to reflect the correct street names

Bill Platz of W/R Consulting represented the project.

Mrs. Stewart stated that all stipulations had been met.

Mr. Henry stated that a 40' right-of-way had been platted. He added that a 50' of right-of-way is normally recommended. Ms. Stewart stated that the original subdivision plat had 40' rights-of-way. Mr. Platz stated that a 50' right-of-way would not be possible; he added that the subdivision was platted in 1974 with 40' streets.

Mr. Curtis made a motion to approve the lot split; Mr. Ward seconded the motion.

Mr. Borman, Mr. Cole, Mr. Curtis, Mr. Gurel, Mr. Henry, Mr. Kneebone and Mr. Ward all voted in favor of the lot split; the motion was passed.

Mr. Ward welcomed Mr. Gurel and Mr. Lane to the Board. He asked Justice Winscott if he had any comments; Justice Winscott stated that he did not.

Mrs. Stewart stated that she had been asked to address the Board to remind the members to be cautious when using email to communicate Planning Board projects. She read, "The Arkansas Freedom of Information Act states that, *"Except as otherwise specifically provided by this section or bylaws specifically enacted to provide otherwise, all public records shall be open to inspection and copying by any citizen of the State of Arkansas during the regular business hours of the custodian of the records."* Please ensure that you would be willing to testify in court to anything you might state in an email and be aware that you could be subjected to examination and/or cross examination."

8. Adjournment

The meeting was adjourned at 5:45 p.m.